IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEBRASKA

UNIT	ED STATES OF AMERICA)	
	Plaintiff,) 8:08CR466)	
	vs.) DETENTION ORDER	
ENRI	IQUE ALEJANDRO VARGAS-JIMENEZ,		
	Defendant.	3	
Ā A	Order For Detention After waiving a detention hearing pursuant to 18 U.S.C. § 3142(f) of the Bail Reform Act on December 22, 2008, the Court orders the above-named defendant detained pursuant to 18 U.S.C. § 3142(e) and (i).		
	Statement Of Reasons For The Detention The Court orders the defendant's detention because it finds: X By a preponderance of the evidence that no condition or combination of conditions will reasonably assure the appearance of the defendant as required. By clear and convincing evidence that no condition or combination of conditions will reasonably assure the safety of any other person or the community.		
T	being found in the District United States without the successor in violation of 8 imprisonment under 8 U.S (b) The offense is a crime of (c) The offense involves a na (d) The offense involves a large (2) The weight of the evidence again (a) General Factors: The defendant a may affect wheth X The defendant ha X The defendant ha X The defendant ha X The defendant of ties. Past conduct of t The defendant ha	Report, and includes the following: coffense charged: sly been deported from the United States, tof Nebraska after having re-entered the consent of the Attorney General or his U.S.C. § 1326(a) and subject to two years S.C. § 1326. violence. creotic drug. ge amount of controlled substances, to wite not the defendant is high. of the defendant including: ppears to have a mental condition which er the defendant will appear. as no family ties in the area. as no steady employment. as no substantial financial resources. not a long time resident of the community. oes not have any significant community he defendant: use of an alias name. as a history relating to drug abuse. as a history relating to alcohol abuse. as a significant prior criminal record. has a prior record of failure to appear at s.	

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		Probation Parole Release pending trial, sentence, appeal or completion of sentence.
(c)	Other F	
(C)		
	<u>X</u>	The defendant is an illegal alien and is subject to
		deportation.
		The defendant is a legal alien and will be subject to deportation if convicted.
	X	The Bureau of Immigration and Custom Enforcement
		(BICE) has placed a detainer with the U.S. Marshal.
		Other:

D. Additional Directives

Pursuant to 18 U.S.C. § 3142(i)(2)-(4), the Court directs that:

- The defendant be committed to the custody of the Attorney General for confinement in a corrections facility separate, to the extent practicable from persons awaiting or serving sentences or being held in custody pending appeal; and
- 2. The defendant be afforded reasonable opportunity for private consultation with counsel; and
- That, on order of a court of the United States, or on request of an attorney
 for the government, the person in charge of the corrections facility in which
 the defendant is confined deliver the defendant to a United States Marshal
 for the purpose of an appearance in connection with a court proceeding.

DATED: December 23, 2008. BY THE COURT:

s/Thomas D. Thalken United States Magistrate Judge